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09/594,054	06/14/2000	Michael Kaplan	07844-427001	7627

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EXAMINER
TRAN, QUOC A

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)	
Office Action Summary	09/594,054	KAPLAN ET AL.	
	Examiner	Art Unit	
	Quoc A. Tran	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _01 June 2005_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-46_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-46_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to Amendment A, filed Jun. 01, 2005.

2.   Claims 1-46 are currently pending in this application. Claims 1, 13, 22, 31, and 40 are

independent claims.

Response to Arguments

3.   Applicant's arguments with respect to claims 1-46 have been considered but are moot in

view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s)

of rejection presented in this Office action.

Regarding to Applicant's arguments directed toward the un-amended claims 3-8, 14-21,

24-25, 27-30 and 41-46. It is noted, that Horvitz '226– filed Jan. 15, 1998, in view of Shuping

'855 – filed Feb. 04, 2000 fairly teaches and/or suggests the claims limitations.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

5.   **Claims 1-3, 5-6, 8-11, 13-24 and 26-46** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Horvitz-US006085226A – filed 01/15/1998 (hereinafter Horvitz '226), in

view of Smethers US006560640B2 – 01/22/1999 (hereinafter Smethers '640).

As to independent claim 1, receiving a first user input on a client device bookmaking a remote destination displayed on the client device (Horvitz '226 at col. 7, line 60 through col. 8, line 10, discloses a network connection between client computer and server computer, wherein user selecting amongst a stored list of addresses, i.e. so-called "bookmarks" to access a particular URL to retrieve a webpage from an external server) Examiner reads the above in the broadest reasonable interpretation of the claim limitations, wherein a first user would be an obvious variant of a user, and bookmarking a remote destination would be an obvious variant of a stored list of addresses, i.e. so-called "bookmarks" to access a particular URL to retrieve a webpage from an external server to a person of ordinary skill in the art at the time the invention was made, **in response to the first user input, storing a link to the destination and a link to a remote bookmark media object associated with the destination on the client device** (Horvitz '226 at col. 7, line 60 through col. 8, line 10, discloses a networked connection between client computer and server computer, wherein user selecting amongst a stored list of addresses, i.e. so-called "bookmarks" to access a particular URL to retrieve a webpage from an external server) Examiner reads the above in the broadest reasonable interpretation of the claim limitations, wherein a first user would be an obvious variant of a user, and bookmarking a remote destination would be an obvious variant of a stored list of addresses, i.e. so-called "bookmarks" to access a particular URL to retrieve a webpage from an external server to a person of ordinary skill in the art at the time the invention was made, **receiving a second user input on the client device requesting a display of a bookmark window** (Horvitz '226 at col. 7, line 60 through col. 8, line 10, discloses a networked connection between client computer and server computer, wherein user selecting amongst a stored list of addresses, i.e. so-called "bookmarks" to access a

particular URL to retrieve a webpage from an external server) Examiner reads the above in the

broadest reasonable interpretation of the claim limitations, a second user would be an obvious

variant of a user, and bookmarking a remote destination would be an obvious variant of a stored

list of addresses, i.e. so-called "bookmarks" to access a particular URL to retrieve a webpage

from an external server to a person of ordinary skill in the art at the time the invention was

made, , **in response to the second user input display a bookmark window** (Horvitz '226 at

col. 7, line 60 through col. 8, line 10, discloses a networked connection between client computer

and server computer, wherein user selecting amongst a stored list of addresses, i.e. so-called

"bookmarks" to access a particular URL to retrieve a webpage from an external server),

receiving a third user input on the client device, and in response to the third user input,

accessing the destination (Horvitz '226 at col. 7, line 60 through col. 8, line 10, discloses a

networked connection between client computer and server computer, wherein user selecting

amongst a stored list of addresses, i.e. so-called "bookmarks" to access a particular URL to

retrieve a webpage from an external server) Examiner reads the above in the broadest reasonable

interpretation of the claim limitations, wherein a third user would be an obvious variant of a user,

and accessing the destination would be an obvious variant of accessing a particular URL to

retrieve a webpage from an external server to a person of ordinary skill in the art at the time the

invention was made,

Horvitz '226 does not explicitly teach, **storing a link to the destination,** however

(Smethers '640 at col. 14, line 35-40, also see Fig. 8, discloses an improved remote bookmarking

for wireless client devices, wherein a URL associated with the compact bookmark identifier is

obtained at (block 806); the remote server (translation server) stores a table for each subscriber

supported by the airnet system. These tables store the URLs as associated with the subscriber's

bookmarks as utilized on their wireless client devices), **retrieving the remote associated**

bookmark media object, including in the display of a bookmark window, a bookmark for

the destination, and the retrieved remote associated bookmark media object the retrieved

remote associated bookmark media object providing a representation of the destination,

however (Smethers '640 at col. 14, line 34-60, also see Fig. 8-9, discloses an improved remote

bookmarking for wireless client devices, wherein receiving the compact request, extract the

bookmark ID, obtaining URL associated with the compact bookmark identifier, prepare request

and send to server, wherein the intermediate server will act as a network gateway or a proxy

server for the wireless client device forward response, including the selected bookmark

document bank to the wireless client devices, also Smethers '640 at col. 11, line 56 through col.

12, line 31, also see Fig. 2-4, show the screen shots of the detail bookmark manager, wherein

each user or subscriber to wireless network service can be given a personal home page which

they can visit to access Keyboard Bookmark Manager for customization), **selecting the remote**

associated bookmark media object displayed in the bookmark window, however (Smethers

'640 at col. 11, line 56 through col. 12, line 31, also see Fig. 2-4, show the screen hot of the

detail bookmark manager, wherein each user or subscriber to wireless network service can be

given a personal home page which they can visit to access Keyboard Bookmark Manager for

customization,(e.g. create, modify or delete) bookmarks for a wireless client device).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Horvitz '226, discloses user input on a client device

bookmaking a remote destination displayed on the client device, to include a means of storing a

link to the destination, retrieving the remote associated bookmark media object, including in the

display of a bookmark window, a bookmark for the destination, and the retrieved remote

associated bookmark media object the retrieved remote associated bookmark media object

providing a representation of the destination, and selecting the remote associated bookmark

media object displayed in the bookmark window of Smethers '640. One of ordinary skill in the

art would have been motivated to modify this combination to provide a web browser executing

method, that can process page requests using processing and networking capacity, available

during intervals of relatively low activity, such as, e.g. idle CPU or network capacity, that would

otherwise be wasted, or for allocating varying amounts of networking resources away from

downloading and display of components of a requested URL and in favor of downloading

content associated with potential future URL requests. Advantageously, use of such a technique

is likely to significantly increase the rate at which pages are typically displayed to a user, thus

reducing user frustration and increasing user satisfaction (as taught by Horvitz '226 at col. 3,

lines 30-50).

In regard to independent claims 13, 22, 31 and 40, incorporate substantially similar

subject matter as cited in claim 1 above, and are similarly rejected along the same rationale.

In regard to dependent claims 2, 3, 5, 21, 23, 24 and 38-39, incorporate substantially

similar subject matter as cited in claim 1 above, and are similarly rejected along the same

rationale.

In regard to dependent claim 6, incorporate substantially similar subject matter as cited

in claim 1 above, and further view of the following, and is similarly rejected along the same

rationale, **wherein presenting the bookmark media objects comprises displaying at least one**

thumbnail, however (as taught by Smethers '640 at col. 7, lines 15-30, i.e. iconic screen).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Horvitz '226, discloses user input on a client device

bookmaking a remote destination displayed on the client device, to include a means presenting

the bookmark media objects comprises displaying at least one thumbnail of Smethers '640. One

of ordinary skill in the art would have been motivated to modify this combination to provide a

web browser executing method, that can process page requests using processing and networking

capacity, available during intervals of relatively low activity, such as, e.g. idle CPU or network

capacity, that would otherwise be wasted, or for allocating varying amounts of networking

resources away from downloading and display of components of a requested URL and in favor

of downloading content associated with potential future URL requests. Advantageously, use of

such a technique is likely to significantly increase the rate at which pages are typically displayed

to a user, thus reducing user frustration and increasing user satisfaction (as taught by

Horvitz '226 at col. 3, lines 30-50).

In regard to dependent claim 8, incorporate substantially similar subject matter as cited

in claim 1 above, and further view of the following, and is similarly rejected along the same

rationale, **displaying a stream of video** as taught by Horvitz '226 at col. 32, lines 55-65).

In regard to dependent claim 9, incorporate substantially similar subject matter as cited

in claim 1 above, and further view of the following, and is similarly rejected along the same

rationale, **outputting audible sounds** (as taught by Horvitz '226 at col. 32, lines 55-65).

In regard to dependent claim 10, determine the status of the bookmark media and presenting a default bookmark media object when the status indicates the corresponding bookmark media object is not available (as taught by Horvitz '226 at col. 34, lines 12-25, discloses a browser, where can utilize a predefined web page utility function as a default that provide a user with a limited ability to modify any linear piece-wise or other portion of the utility function, such as by increasing or decreasing a relative weighting of that portion, e.g., the portion associated with text, over another portion of the function, e.g., that associated with graphics and/or any other web page component).

As to dependent claim 11, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

As to dependent claim 14, incorporate substantially similar subject matter as cited in claim 1 above, and in further view of the following, and is similarly rejected along the same rationale, wherein updating each bookmark media object comprises, updating each bookmark media object as a function of current state of the corresponding to a network destination (as taught by Horvitz '226 at col. 8, line 66 through col.9, line 22, discloses successive web pages are selected by the user and displayed, the user model is updated through consideration of the current page; thereafter, new pages may be prefetched and so on).

As to dependent claims 15, 16 and 17, incorporate substantially similar subject matter as cited in claims 1 and 14 above and are similarly rejected along the same rationale.

As to dependent claims 18, 19 and 20 consecutively, incorporate substantially similar subject matter as cited in claims 6, 8 and 9 above consecutively, and are similarly rejected along the same rationale.

As to dependent claims 26, 27 and 28 consecutively, incorporate substantially similar

subject matter as cited in claims 6, 8 and 9 above consecutively, and are similarly rejected along

the same rationale.

As to dependent claims 29 and 30, incorporate substantially similar subject matter as

cited in claim 10 above consecutively, and are similarly rejected along the same rationale.

As to dependent claims 32, 33 and 34 consecutively, incorporate substantially similar

subject matter as cited in claims 6, 8 and 9 above consecutively, and are similarly rejected along

the same rationale.

As to dependent claim 35, a client device configured to store references

to the bookmark media objects on the web server, however (Smethers '640 at col. 14, line 35-

40, also see Fig. 8, discloses an improved remote bookmarking for wireless client devices,

wherein a URL associated with the compact bookmark identifier is obtained at (block 806); the

remote server (translation server) stores a table for each subscriber supported by the airnet

system. These tables store the URLs as associated with the subscriber's bookmarks as utilized on

their wireless client devices).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Horvitz '226, discloses user input on a client device

bookmaking a remote destination displayed on the client device, to include a means a client

device configured to store references to the bookmark media objects on the web server of

Smethers '640. One of ordinary skill in the art would have been motivated to modify this

combination to provide a web browser executing method, that can process page requests using

processing and networking capacity, available during intervals of relatively low activity, such as,

e.g. idle CPU or network capacity, that would otherwise be wasted, or for allocating varying

amounts of networking resources away from downloading and display of components of a

requested URL and in favor of downloading content associated with potential future URL

requests. Advantageously, use of such a technique is likely to significantly increase the rate at

which pages are typically displayed to a user, thus reducing user frustration and increasing user

satisfaction (as taught by Horvitz '226 at col. 3, lines 30-50).

As to dependent claim 36, , incorporate substantially similar subject matter as cited in

claim 14 above consecutively, and is similarly rejected along the same rationale.

As to dependent claim 37, , incorporate substantially similar subject matter as cited in

claim 15 above consecutively, and is similarly rejected along the same rationale.

As to dependent claim 41, incorporate substantially similar subject matter as cited in

claim 14 above consecutively, and is similarly rejected along the same rationale.

As to dependent claim 42, incorporate substantially similar subject matter as cited in

claim 16 above consecutively, and are similarly rejected along the same rationale.

As to dependent claim 43, incorporate substantially similar subject matter as cited in

claim 17 above consecutively, and is similarly rejected along the same rationale.

As to independent claim 44, incorporate substantially similar subject matter as cited in

claim 6 above consecutively, and are similarly rejected along the same rationale.

As to dependent claims 45, 46 consecutively, incorporate substantially similar subject

matter as cited in claims 19-20 above consecutively, and are similarly rejected along the same

rationale.

6.   **Claims 4, 7, 12 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Horvitz-US006085226A – filed 01/15/1998 (hereinafter Horvitz '226), in view of Smethers

US006560640B2 – 01/22/1999 (hereinafter Smethers '640), further in view of Shuping et al -

US006313855B1 – 02/04/2000 (hereinafter Shuping '855).

In regard to dependent claim 4, Horvitz '226 and Smethers '640 do not explicitly teach,

wherein accessing the network destination comprises retrieving a three-dimensional

environment corresponding to the selected bookmark media object, however (Shuping '855

at col. 2, lines 45-50 , discloses a method including a means of rendering the various web pages

are provided in a three-dimensional space).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Horvitz '226, discloses user input on a client device

bookmaking a remote destination displayed on the client device, to include a means of storing a

link to the destination, retrieving the remote associated bookmark media object, including in the

display of a bookmark window, a bookmark for the destination, and the retrieved remote

associated bookmark media object the retrieved remote associated bookmark media object

providing a representation of the destination, and selecting the remote associated bookmark

media object displayed in the bookmark window of Smethers '640, further to include a means of

accessing the network destination comprises retrieving a three-dimensional environment

corresponding to the selected bookmark media object Shuping '855. One of ordinary skill in the

art would have been motivated to modify this combination to enabling the a means of rendering

the various web pages are in a three-dimensional space networking environment (as taught by

Shuping '855 at col. 2, lines 45-50).

In regard to dependent claims 12 and 25 incorporate substantially similar subject

matter as cited in claim 4 above, and are similarly rejected along the same rationale.

In regard to dependent claim 7, displaying a matrix of bookmark media objects,

however as taught by Shuping '855 at col. 5, lines 35-45, provides a configuration to the past and

current panels, wherein the panels (e.g. web pages) organized in an "m by n" matrix).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have modified Horvitz '226, discloses user input on a client device

bookmaking a remote destination displayed on the client device, to include a means of storing a

link to the destination, retrieving the remote associated bookmark media object, including in the

display of a bookmark window, a bookmark for the destination, and the retrieved remote

associated bookmark media object the retrieved remote associated bookmark media object

providing a representation of the destination, and selecting the remote associated bookmark

media object displayed in the bookmark window of Smethers '640, further to include a means of

displaying a matrix of bookmark media objects of Shuping '855 . One of ordinary skill in the art

would have been motivated to modify this combination to enabling the a means of rendering and

display the various web pages are in m by n matrix for easy navigating of the web pages (as

taught by Shuping '855 at col. 2, lines 45-59).

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 11AM to 7PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R Heather can be reached on (571) -272-4136. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176
August 19, 2005

WILLIAM BASHORE
PRIMARY EXAMINER
8/22/2005